

Serial No.: 10/070,098

IN THE DRAWINGS:

The attached two sheets of drawings include proposed changes to Figures 1 and 3. Figures 1 and 3 on the two drawing sheets have been changed to add written and numerical labels as required by the Examiner.

## REMARKS

### I. Status Summary

Claims 1-6 are pending in the present application. Claims 1, 3, and 6 have been amended. Claim 4 has been canceled. New Claim 7 has been added. Therefore, upon entry of this Amendment, Claims 1-3 and 5-7 will be pending. No new matter has been introduced by the present amendment. Reconsideration of the application as amended and based on the arguments set forth hereinbelow is respectfully requested.

New Claim 7 includes the features of Claim 1 and canceled Claim 4.

### II. Drawings Objections

Figures 1 and 3 of the drawings stand objected to for lacking written and numerical labels. (Official Action, page 2). Figures 1 and 3 have been amended to add written and numerical labels as required by the Examiner. Applicant respectfully submits that Figures 1 and 3 are now in proper form and the objection should be withdrawn. Upon approval by the Examiner, formal drawing sheets will be promptly forwarded.

### III. Claim Objections

Claim 3 is objected to because of informalities. In particular, the Examiner asks whether the term "f" at line 3 of Claim 3 is a symbol for bandwidth. (Official Action, page 2). Applicant notes that the term "f" is related to bandwidth. The term "f" has been deleted from claim 3. Therefore, the objection to Claim 3 is moot.

Claim 6 stands objected to because of lack of antecedent basis for the feature "clock signal" for the analogue modem and the feature "clock signal" for the coder/decoder device. (Official Action, page 2). Claim 6 has been amended to recite "a clock signal for the analogue modem" and "a clock signal for the coder/decoder device". Applicant respectfully submit that proper antecedent basis is now provided in Claim 6.

Further, regarding Claim 6, the Examiner suggests adding the term "sampling" before the phrase "clock signal". (Official Action, page 2). Claim 6 has been amended as suggested to add the term "sampling" before the phrase "clock signal".

#### IV. Claim Rejections under 35 U.S.C. § 102

Claims 1-3 and 5 stand rejected under 35 U.S.C. § 102(e) as being unpatentable by U.S. 6,873,597 to King (hereinafter, "King"). This rejection is respectfully traversed.

Claim 1 recites a method for transferring data between an analogue modem and a data communication partner. The data can be transferred using a PCM modulation method with a variable sampling rate from an analogue modem via an analogue data transmission line to a subscriber line unit having a coder/decoder device with an appropriate variable sampling rate. The subscriber line unit can set up at least two data transmission links to the data communication partner in parallel. Claim 1 also recites a step for establishing the data transfer conduction properties of the data transmission line during connection setup. Further, Claim 1 recites a step for establishing the maximum possible number  $m_{\max}$  of data symbols  $S_{xy}$  which can be transferred per data transmission link. Claim 1 also recites a step for setting up a particular number  $n$ , required for a predetermined data transfer rate, of connected data transmission links on

the basis of the data transfer conduction properties and the established maximum possible number of transferrable data symbols  $S_{xy}$  per data transmission link in order to produce a higher data transfer rate than 64 kbit/s between the analogue modem and the data communication partner.

King is directed to a reduced rate communication system. For example, referring to column 4, lines 18-20 of King, data from a PC 40 passes to a modem 30. Modem 30 converts the data into analogue signals for transmission over the analogue telephone line. (King, column 4, lines 20-23). The analogue telephone signal is passed to a subscriber line interface card 12 of a residential service system 10. (King, column 4, lines 23-25). At system 10, the signal is modulated by a CODEC 54 and transmitted across an air interface 44 to a base transmitter station 18. (King, column 4, lines 29-32). At station 18, the signal is supplied to a CODEC 56 providing a variety of coding schemes equivalent to those used at base station 18. (King, column 4, lines 32-35). For example, a progressively reduced coding scheme, such as 32 kbit/s, 16 kbit/s, 8 kbit/s (voice data-type) may be used. (King, column 4, lines 35-39). King discloses a single data link for transmitting data. In marked contrast, Claim 1 recites that the subscriber line unit can set up at least two data transmission links in parallel. Thus, King fails to teach each and every feature required by Claim 1.

Claims 2, 3, and 5 depend from Claim 1. Therefore, the comments presented above relating to Claim 1 apply equally to Claims 2, 3, and 5.

For the reasons set forth above, applicants respectfully submit that King does not teach each and every feature of the present subject matter, and therefore that Claims 1-3 and 5 are not anticipated by King. Applicants, therefore, respectfully request that the

rejection of Claims 1-3 and 5 under 35 U.S.C. § 102 be withdrawn and the claims allowed at this time.

V. Claim Rejections under 35 U.S.C. § 103

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of U.S. Patent No. 6,597,732 to Dowling (hereinafter, "Dowling"). This rejection is respectfully traversed.

Claim 6 depends from Claim 1. Therefore, Claim 6 includes the features required by Claim 1. As stated above, King fails to teach each and every feature recited by Claim 1. Further, King fails to suggest the Claim 1 feature of the subscriber line unit can set up at least two data transmission links in parallel. Dowling fails to overcome the significant shortcomings of King.

The Examiner stated that Dowling discloses a high-speed modem comprising an analogue modem. (Official Action, page 4). Further, the Examiner stated that Dowling discloses that the analogue modem's clock signal is synchronized with the sampling signal of the subscriber. (Official Action, page 4). However, Dowling fails to disclose or suggest a subscriber line unit that can set up at least two data transmission link to a data communication partner in parallel, as required by Claim 6. In particular, Dowling fails to disclose or suggest the features required by elements (a)-(c) recited by Claim 1 and thus included in Claim 6. Thus, it is respectfully submitted that rejection of Claim 6 under 35 U.S.C. § 103(a) as unpatentable over King in view of Dowling should be withdrawn and the claim allowed at this time.

VI. Allowable Subject Matter

The Examiner indicated that Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. As stated above, Claim 4 has been canceled. New claim 7 has been added and includes the features of Claim 4 and its base Claim 1. Therefore, applicant respectfully submits that Claim 7 should now be allowed.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

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DEPOSIT ACCOUNT

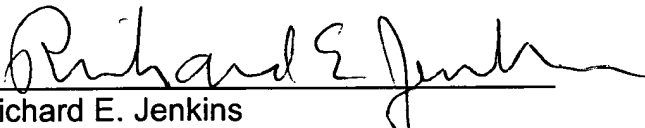
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

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